

1 Norman G. Reece, Jr.  
2 Idaho State Bar No. 3898  
3 NORMAN G. REECE, P.C.  
4 445 West Chubbuck Road, Suite D  
5 Chubbuck, Idaho 83202  
6 Tel: (208) 233-0128  
7 Fax: (208) 233-4895  
8 E-Mail: normreecelaw@aol.com  
9 *Pro Hac Vice*

10 Attorney for Plaintiff

11 DEK KETCHUM, SB No. 48109  
12 JAY M. GOLDMAN, SB No. 168141  
13 LAW OFFICES OF DEK KETCHUM  
14 900 Veterans Boulevard, Suite 600  
15 Redwood City, Calif. 94063  
16 Tel: (650) 368-2588  
17 Fax: (650) 369-7183  
18 E-Mail: JGoldman1@aol.com

19 Attorneys for Defendant  
20 Farr Financial, Inc.

21  
22 UNITED STATES DISTRICT COURT  
23 NORTHERN DISTRICT OF CALIFORNIA  
24 SAN FRANCISCO DIVISION

25 HOWARD B. HIGGINS, an individual,  
26  
27 Plaintiff,

Case No. C 07-02200 JSW

28 vs.

STIPULATION TO CONTINUE  
AND PROPOSED ORDER

FARR FINANCIAL INC., a California  
Corporation, ZENITH INVESTMENT  
GROUP LLC, a California Limited  
Liability Company, AMAECHI  
GEORGE OZOR, an individual, and  
JOHN/JANE DOES I-X, individuals or  
entities whose identities are unknown,

Judge: Hon. Jeffrey S. White  
Ctrm.: 2, 17<sup>th</sup> Floor  
Trial: None Set

Defendants.

1 Plaintiff Howard B. Higgins, and Defendant, Farr Financial, Inc. ("Farr") through  
2 their respective attorneys, submit this stipulation, in which they agree that oral argument  
3 on Farr's Motion to Dismiss the Eleventh Cause of Action of Plaintiff's Third Amended  
4 Complaint, currently set for 9:00 a.m. on October 30, 2009, may be continued to 9:00 a.m.  
5 on December 18, 2009.

6  
7 Good cause exists to continue oral argument as set forth in this stipulation. Due  
8 to intervening conflicts in the schedules of Plaintiffs' counsel, the October 30<sup>th</sup> setting is  
9 no longer workable. There have been no prior requests to continue the hearing on Farr's  
10 motion to dismiss. Moreover, there are no other deadlines or events in this case that would  
11 be impacted by the requested continuance. The December 18<sup>th</sup> date for oral argument  
12 accommodates the schedules of all counsel.  
13

14  
15 Counsel have checked the availability dates for the Court on the Court's website.  
16 December 18, 2009 is the earliest available date, which accommodates the schedules of all  
17 counsel.

18 IT IS SO STIPULATED.  
19


20  
21 Dated: October 23, 2009

NORMAN G. REECE, P.C.

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23  
24 By: Norman G. Reece, Jr.  
25 NORMAN G. REECE, JR.  
26 Attorney for Plaintiff, Howard B. Higgins  
27 (Pro Hac Vice)  
28

1 Dated: October 23, 2009

LAW OFFICES OF DEK KETCHUM

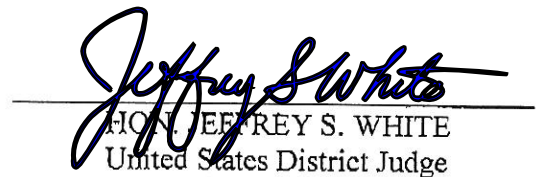
2  
3 By:   
4 JAY M. GOLDMAN  
5 Attorneys for Farr Financial, Inc.

6  
7  
8 **ORDER**

9 Good cause appearing, ~~IT IS ORDERED~~ that the stipulation is **GRANTED**.  
10 ~~Oral argument on Farr Financial's Motion to Dismiss the Eleventh Cause of Action of~~  
11 ~~Plaintiff's Third Amended Complaint shall be continued to 9:00 a.m. on December 18,~~  
12 ~~2009.~~ The Court DENIES the stipulation as MOOT.

13 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

14 Dated: October 27, 2009

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18 HON. JEFFREY S. WHITE  
19 United States District Judge  
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